UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,420	07/09/2003	Ilkka Westman	059643.00260	7974

32294 7590 08/14/2007

SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER	
FRINK, JOHN MOORE	
ART UNIT	**PAPER NUMBER**
2142	
MAIL DATE	**DELIVERY MODE**
08/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/615,420	WESTMAN ET AL.	
	Examiner	Art Unit	
	John M. Frink	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 July 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-29,31-39 and 41-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-29,31-39 and 41-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1, 3 - 6, 7, 8, 14, 16, 17, 20, 24 – 29, 36 – 39, 42, 44, 45, 46, 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over as TS 24.229 version 5.3.0 Release 5, hereafter referred to as 229, in view of 3GPP 23.218 version 5.3.0 Release 5, hereafter referred to as 218.

2. Regarding claim 1, 229 shows a service provisioning method in a communication system, the method comprising the steps of: receiving at a first entity associated with the communication system from a storage entity, information regarding a communication control entity configured to service a user of the communication system; and based on said information, signaling an originating request from the first entity to the communication control entity (Section 5.7.3), where the HSS in 229 corresponds to said storage entity and where the S-CSCF in 229 corresponds to said control entity.

229 does not show where the originating request includes information regarding the handling of communications associated with the request.

218 shows where the originating request includes information regarding the handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 – 16). Specifically, Section 5.2 in 218 shows where an originating

request for an SIP session contains information about the user, which is used by the communications control entity to retrieve various profiles. This information determines whether the originating request is validated or not, which determines if further communication is allowed, thus impacting how communications associated with the request are handled. Furthermore, the user's identity (which is included in the originating request) results in what triggers are retrieved for that user, or whether triggers are retrieved at all, as if there are previous valid triggers stored, new triggers are not requested by said communications control entity. The triggers that may or may not be requested anew, but regardless are set, result in filter criteria and priorities assigned to said filter criteria being set. These filter criteria further impact the handling of communications associated with the user's session. Said user's session is inherently associated with the request to establish the session, as no session would otherwise exist.

Therefore, for at least these reasons, 218 shows where the originating request includes information regarding the handling of communications associated with the request.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 with that of 218 because 229 and 218 are both technical specifications produced by the same organization for the common purpose of elaborating the developing 3GPP standard and the information contained within 218 and 229 is intended to be used together.

3. Regarding claim 3, 229 shows where the originating request includes an indication that further communications associated with the originating request shall be handled in a similar manner as though the request had originated from the user (Section 5.7.3).

4. Regarding claim 4, 229 in view of 218 further show where either terminating services or originating services are provided based on the request (218, Sections 6.4 and 6.5).

5. Regarding claim 5, 229 in view of 218 further show deciding in the first entity how the communication control entity shall handle further communications associated with the request (218 Section 9.1 pages 24 – 27).

6. Regarding claim 6, 229 shows where the first entity generates the originating request on the behalf of the user (Section 5.7.3).

7. Regarding claim 7, 229 shows where the originating request is generated based on information regarding an address of the communication control entity (Section 5.7.3).

8. Regarding claim 8, 229 shows where the first entity modifies said information regarding the address of the communication control entity before sending the originating request (Section 5.7.3).

9. Regarding claim 14, 229 shows where the information received from the storage entity comprises an Universal Resource Identifier (URI) of the communication control entity (Section 5.7.3), where the address corresponds to said URI.

10. Regarding claim 16, 229 in view of 218 further show where the information received from the storage entity comprises a service type indicator parameter (218 Sections 6.3 and 6.4).

11. Regarding claim 17, 229 shows sending an enquiry to a database from the first entity before sending of the originating request, said enquiry being based on the information regarding the communication control entity (Section 5.7.3).

12. Regarding claim 20, 229 shows sending an enquiry from the first entity for said information regarding the communication control entity capable of servicing the user (Section 5.7.3).

13. Regarding claim 24, 229 shows where the originating request is indicative of filter criteria to be applied to the request (Sections 5.4.3.1 and 5.7.3).

14. Regarding claim 25, 229 shows where the first entity comprises an application server (Section 5.7.3).

15. Regarding claim 26, 229 shows where the communication control entity comprises a serving call session control function (Section 5.7.3).

16. Regarding claim 27, 229 shows where the storage entity comprises a user information storage entity (Section 5.7.3).

17. Regarding claim 28, 229 shows where the user information storage entity is one of a home subscriber server, a subscriber location function, a service and a Subscription repository (Section 5.7.3).

18. Regarding claim 29, 229 shows a communication control entity configured to service a user of the communication system; a first entity provided with a first interface

configured to receive information from a storage entity regarding the user and a second interface configured to signal an originating request to the communication control entity based on said information from the storage entity (Section 5.7.3), and where 218 shows where the originating request includes information regarding the handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 - 16).

19. Regarding claims 36 and 45, 229 shows where the originating request is indicative of filter criteria to be applied to the request (Section 5.7.3).

20. Regarding claim 37, 229 shows an application server for a communication system, the application server comprising a first interface configured to receive information from a storage entity regarding a user of the communication system and a second interface configured to signal an originating request to a communication control entity configured to service the user based on said information from the storage entity (Section 5.7.3), and where 218 shows where the originating request includes information regarding the handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 - 16).

21. Regarding claim 38, 229 shows an originating request to be signaled on an interface between a first entity of a communication system and a communication control entity configured to service a user of the communication system, the originating request being generated based on information from a user information storage entity (Section 5.7.3), and where 218 shows the originating request includes information regarding the

handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 - 16).

22. Regarding claim 39, 229 shows a communication system for service provisioning, the system comprising: receiving means for receiving at a first entity associated with the communication system from a storage entity, information regarding a communication control entity configured to service a user of the communication system; and signaling means for signaling an originating request from the first entity to the communication control entity based on said information (Section 5.7.3), and where 218 shows the originating request includes information regarding the handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 - 16).

23. Regarding claim 42, 229 shows where the sending means is configured to send the enquiry before the originating request is sent, and said enquiry being based on the information regarding the communication control entity (Section 5.7.3).

24. Regarding claim 44, 229 shows where wherein information regarding at least two different addresses for the communication control entity information is stored in the storage entity (Section 5.7.3).

25. Regarding claim 45, 229 shows where the originating request is indicative of filter criteria to be applied to the request (Sections 5.4.3.1 and 5.7.3).

26. Regarding claim 46, 229 in view of 218 further show a first interface configured to receive information from a storage entity regarding a user of the communication system, and a second interface configured to signal an originating request to a communication

control entity configured to service the user based on said information from the storage entity, wherein the originating request includes information regarding the handling of communications associated with the request (229, Section 5.7.3; 218, Section 5.2 pages 12 - 13, Section 6.3 pages 15 – 16).

27. Regarding claim 47, 229 in view of 218 further show wherein the network entity comprises at least one of a gateway, a server a proxy, a client or a user agent (229, Section 5.7.3; 218, Section 5.2 pages 12 - 13, Section 6.3 pages 15 – 16).

28. Regarding claim 48, 229 in view of 218 further show a storage entity, comprising two stored addresses of a communication control entity, an address for an originating role, and an address for a terminating role, wherein the storage entity is configured to send one or both of the two stored addresses to an application server on request for use in generating an originating request, wherein the originating request includes information regarding the handling of communications associated with the request (229, Section 5.7.3; 218, Section 5.2 pages 12 - 13, Section 6.3 pages 15 – 16).

29. Claims 9, 10, 13, 21, 22, 23, 31, 32, 35, 41 and 44 rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view of 218 as applied to claim 1 above, further in view of Kauppinen et al. (WO 02/09365 A1), hereafter referred to as WO.

30. Regarding claim 9, 229 in view of 218 disclose the method of claim 1.

229 in view of 218 do not disclose adding, by the first entity, a service type indicating into the originating request.

WO discloses adding, by the first entity, a service type indicating into the originating request. (pg. 15, line 18 – pg. 16 line 16), where a flag included in the request is used to indicate the service type.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 with that of WO as both 229 in view of 218 and WO detail communication methods involving setup between a user and various Call State Control Function (CSCF) systems and a Home Subscriber Server (HSS), where WO enables simplifying the communications network which both WO and 229 in view of 218 utilize.

31. Regarding claim 10, 229 in view of 218 and WO further disclose where service type indicator is included in an address of the communication control entity, specifically where WO col. 20 line 20 – col. 21 line 12 shows where the address itself servers as the service type indicator, and alternatively, WO pg. 19 line 8 – pg. 20 line 7 shows where the port number serves as the service type indicator.

32. Regarding claim 13, 229 in view of 218 and WO further disclose selecting, by the a port where the request shall be sent (WO pg. 18 line 27 – pg. 19 line 20, pg. 25, lines 24 – 30, pg. 26 lines 20 – 30).

33. Regarding claims 21 and 35, 229 in view of 218 and WO further disclose where information regarding at least two different addresses for the communication control entity information is stored in the storage entity (pg. 20 line 21 – pg. 21 line 12).

34. Regarding claim 22, 229 in view of 218 and WO further disclose at least two different addresses are fetched from the storage entity by the first entity before sending

of said request, specifically where the HSS corresponds to the storage entity, which contains two address, one for an I-CSCF and one for an S-CSCF (WO pg. 20 line 21 – pg. 21 line 12).

35. Regarding claim 23, 229 in view of 218 and WO further disclose fetching one of at least two different addresses from the storage entity by the first entity before sending of said request (WO pg. 20 line 21 – pg. 21 line 12).

36. Regarding claim 31, 229 in view of 218 and WO further disclose where the origination request signaled on the interface between the first entity and the communication includes a service type indicator (pg. 15, line 18 – pg. 16 line 16), where a flag included in the request is used to indicate the service type.

37. Regarding claim 32, 229 in view of 218 and WO further disclose specifically where WO col. 20 line 20 – col. 21 line 12 shows where the address itself servers as the service type indicator, and alternatively, WO pg. 19 line 8 – pg. 20 line 7 shows where the port number serves as the service type indicator.

38. Regarding claim 35, 229 in view of 218 and WO further disclose where the storage entity is configured to store information regarding at least two different addresses for the communication control entity (pg. 20 line 21 – pg. 21 line 12).

39. Regarding claim 41, 229 in view of 218 and WO further disclose where the information received from the storage entity comprises a service type indicator parameter. (pg. 15, line 18 – pg. 16 line 16), where a flag included in the request is used to indicate the service type.

40. Regarding claim 44, 229 in view of 218 and WO further disclose where information regarding at least two different addresses for the communication control entity information is stored in the storage entity (WO pg. 20 line 21 – pg. 21 line 12).

41. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view of 218 and WO as applied to claim 10 above, and further in view of Banerjee (US 2003/0053441 A1).

229 in view of 218 and WO shows claim 10.

229 in view of 218 and WO do not show where the service type indicator is included in a user part or domain part of the address.

Banerjee shows how the entire address, including the user and domain part determines where the request is routed (Banerjee [0008]), which determines the service type (WO; pg. 20 line 21 – pg. 21 line 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 and WO with that of Banerjee as the Internet Protocol address system, including the user and domain parts of the address, was designed to be used in its entirety to determine how to handle messages.

42. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view of 218, as applied to claim 1 above, further in view of Foti et al. (US 2002/0027915 A1).

229 in view of 218 show the method of claim 1.

229 in view of 218 do not show where the information received from the storage entity comprises a name of the communication control entity.

Foti et al. shows the information received from the storage entity comprises a name of the communication control entity (Fig. 1A, 1B, [0022]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 with that of Foti et al. in order to utilize a standard and common method that utilizes an easy-to-remember and enter key (in this case, the name) in order to connect to a remote device.

43. Claims 18 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view of 218 as applied to claim 1 above, further in view of RFC 2782 (http://tools.ietf.org/html/rfc2782).

229 in view of 218 show the method of claim 1 and 17.

229 in view of 218 do not show where the first entity enquires for SRV records of a Domain Name system for obtaining routing information regarding a desired service.

RFC 2782 shows where the first entity enquires for SRV records of a Domain Name system for obtaining routing information regarding a desired service (pg. 1, 'Overview and rationale' section).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 with that of RFC 2782 in order to utilize RFC 2782 for the purpose for which is was created; to illustrate a standardized method of utilizing DNS SRV.

44. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view 218 as applied to claim 1 above, further of RFC 2168 (http://tools.ietf.org/html/rfc2168).

229 in view of 218 show the method of claim 1.

229 in view of 218 do not show where the first entity enquires for Naming Authority Pointer (NAPTR) resource records to find out available services.

RFC 2168 show the first entity enquires for Naming Authority Pointer (NAPTR) resource records to find out available services (pg. 1, Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 with that of RFC 2168 in order to utilize RFC 2782 for the purpose for which is was created; to illustrate a standardized method of utilizing the NAPTR.

45. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over 229 in view of 218 as applied to claims 1 and 29 above, further in view of Faccin et al. (US 2001/0049790 A1).

229 in view of 218 show the method of claim 29.

229 in view of 218 do not show where the database comprises a Domain Name system.

Faccin et al. shows a database for storing service related information, specifically where the database comprises a Domain Name system (Fig. 1, [0027]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of 229 in view of 218 with that of Faccin et al. in order to utilize a common standardized method of storing and retrieving system related information, specifically the Domain name system.

Response to Arguments

2. Applicant's arguments filed 7/3/2007 have been fully considered but they are not persuasive. Applicant argues that claim 2 is allowable, and thus all independent claims are now allowable because said independent claims now also claim the subject matter of claim 2. However, no specific arguments are given as to why claim 2 is allowable; Applicant simply states that the text of claim 2, stating that the provided reference is silent to said text. This argument is not persuasive. Additional, the 218 reference is not silent to claim 2.

Claim 2, now incorporated into claim 1, claims where the originating request includes information regarding the handling of communications associated with the request.

218 shows where the originating request includes information regarding the handling of communications associated with the request (Section 5.2 pages 12 - 13, Section 6.3 pages 15 – 16). Specifically, Section 5.2 in 218 shows where an originating request for an SIP session contains information about the user, which is used by the communications control entity to retrieve various profiles. This information determines whether the originating request is validated or not, which determines if further communication is allowed, thus impacting how communications associated with the request are handled. Furthermore, the user's identity (which is included in the originating request) results in what triggers are retrieved for that user, or whether triggers are retrieved at all, as if there are previous valid triggers stored, new triggers are not requested by said communications control entity. The triggers that may or may

not be requested anew, but regardless are set, result in filter criteria and priorities assigned to said filter criteria being set. These filter criteria further impact the handling of communications associated with the user's session. Said user's session is inherently associated with the request to establish the session, as no session would otherwise exist.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571) 272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Frink

(571) 272-9686

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER